

Court No. - 46

Case :- CRIMINAL MISC. WRIT PETITION No. - 16580 of 2023

Petitioner :- Rita Rajpoot And 5 Others

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Puneet Bhadauria

Counsel for Respondent :- G.A., Ram Chandra Solanki

Hon'ble Ashwani Kumar Mishra, J.

Hon'ble Syed Aftab Husain Rizvi, J.

Heard learned counsel for the parties.

This petition has been filed with a prayer to quash the FIR dated 06.08.2023 registered as case crime no.195 of 2023, under sections 147, 420, 467, 468, 471 & 506 IPC, P.S. Jaswant Nagar, District Etawah.

The allegations in the FIR are to be effect that the petitioner is a 45 years old married lady who, by misrepresenting her status, has been extracting money from various persons by blackmailing them. It is further alleged that there are several cases pending against her.

Learned counsel for the petitioners submits that in the FIR lodged by the petitioner no.1, a charge-sheet has been submitted against the informant and the allegations in the impugned FIR are absolutely incorrect.

Along with a short-counter affidavit, the first information report in case crime no.710 of 2019 under sections 376, 506, 323, 504 IPC is placed on record. Yet another FIR in case crime no. 661 of 2021 under sections 376 D, 323, 506 IPC is also shown to have been lodged by the petitioner wherein subsequently compromise was

worked out. These two FIR's contain similar allegations and the offences are alleged to have been committed by other persons.

Having examine the materials on record, we find that prima-facie allegations with regard to commissioning of cognizable offence are disclosed against the petitioner. The defence of the petitioners is not required to be examined in the present petition, at the outset. Correctness or otherwise of FIR allegation is otherwise an issue to be examined at the stage of investigation/ trial.

Accordingly, the writ petition is dismissed.

Order Date :- 8.12.2023 /C. MANI